

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
MEETING ROOM #113
THURSDAY, JANUARY 28, 1999
8:15 A.M.**

Commissioners Present: Larry Hudkins, Vice Chair
Linda Steinman
Bob Workman
Bernie Heier

Commissioners Absent: Kathy Campbell, Chair

Others Present: Kerry Eagan, Chief Administrative Officer
Diane Staab, Deputy County Attorney
Ann Taylor, County Clerk's Office

AGENDA ITEM

**1 APPROVAL OF MINUTES OF COUNTY BOARD OF COMMISSIONERS
MEETING OF JANUARY 21, 1999**

The Board requested the following corrections to the minutes:

- * Page 10, Item 7
Change Paragraph 4 to read as follows:

Kelly indicated White is requesting \$6,950 for the scanner, attachments, scanner software and a Pentium 100 computer loaded with software. She noted a new scanner would cost more than \$10,000.

- * Page 6, Item 5
Add the following information:

The traffic count on the N 141st Street Bridge is 15 cars per day.

MOTION: Workman moved and Heier seconded approval of the minutes with the stated corrections. On call Heier, Steinman, Workman and Hudkins voted aye. Motion carried.

2 ADDITIONS TO THE AGENDA

- a. Joint Request for Proposals (RFP) with Lincoln Electric Systems (LES) and the City of Lincoln for Benefits Consultant
- b. Comprehensive Juvenile Justice System Study, Final Report Phase I - Needs Assessment Recommendations

MOTION: Steinman moved and Heier seconded approval of the additions to the agenda. On call Steinman, Heier, Workman and Hudkins voted aye. Motion carried.

3 DISCUSSION OF BOARD MEMBER MEETINGS

- a. Master Plan Steering Committee - Hudkins

Dave Kroeker, Budget & Fiscal Officer, reported the top of the dais in the City Council/County Commissioners Hearing Room may be lowered to improve visibility.

Hudkins reported that heating system problems in the County-City Building are being corrected, noting it has been determined that the sizing of heating coils in the heat exchangers is insufficient for the building.

- b. Nebraska Association of County Officials (NACO) Legislative Committee - Hudkins

No report was given.

- c. Board of Health - Hudkins

Hudkins briefly reported on the Board of Health annual meeting, noting that a public health report card for the community was reviewed.

- d. Attention Center Advisory Committee - Heier

No report was given.

- e. Community Mental Health Advisory Committee - Eagan

No report was given.

- f. Region V Governing Board - Steinman

Steinman reported that notification was received from Ron Ross, the new State Health & Human Services Director, that development of Network Management Entities has ceased. She noted that questions remain as to how Medicaid will fund alcohol, mental health and developmental disabilities programs.

Steinman also reported that legislative issues include:

- * LB 307, which requires application for and implementation of a federal medicaid option
- * LB 355, which requires insurance coverage for mental health conditions
- * LB 360, which prohibits mental health regions from being direct service providers
- * LB 569 and LB 708, which change provisions for admission of persons to state hospitals

4 CONSENT ITEMS

- a. Vacation Request from Larry Van Hunnik, Lancaster Manor Administrator, for February 12, 1999 and April 1, 1999 through April 5, 1999

MOTION: Steinman moved and Workman seconded approval. The Board voted unanimous approval. Motion carried.

5 ACTION ITEMS

- a. Microcomputer Request, C#99017, from County Attorney for a Laser Printer, in the amount of \$1,544.09 from the Microcomputer Fund

Eagan reported the Microcomputer Fund is depleted, but contingency funds are available to fund the request.

MOTION: Workman moved and Heier seconded approval. On call Workman, Heier, Steinman and Hudkins voted aye. Motion carried.

6 LEGISLATIVE UPDATE - Gordon Kissel, Legislative Consultant

Gordon Kissel, Legislative Consultant, presented a legislative update and review of legislative bills (Exhibit A), noting the following:

- * Concerns regarding inclusion of prisoners in state correctional facilities and the extent of the ability of political subdivisions to collect from prisoners have been noted with regards to LB 112, which provides for the responsibility for payment of costs of medical services for individuals who are arrested, detained or taken into custody.
- * LB 104, which authorizes creation of home rule charter counties, and LB 803, which authorizes creation of municipal counties, will be reviewed jointly by the Government Committee.
- * Senator Nancy Thompson has withdrawn her support from LB 512, which changes placement and transportation cost provisions for juveniles, noting funding concerns.

The Board requested Steinman to contact Senator Thompson regarding her concerns and report her findings to Kissel.

Dave Kroeker, Budget & Fiscal Officer, noted concern regarding responsibility for guardian ad litem costs in LB 512.

Kissel indicated he will follow up on Governor Johanns' comments that funds will be added for community based services for juveniles and will report to the Board.

Diane Staab, Deputy County Attorney, indicated that LB 24, which provides for appointment of counsel in certain divorce proceedings, could have a significant fiscal impact to Lancaster County.

MOTION: Steinman moved and Heier seconded to direct Gordon Kissel, Legislative Consultant, to monitor LB 24 and to direct Kerry Eagan, Chief Administrative Officer, to draft a letter for signature by the County Board, noting the Board's opposition to the bill. On call Steinman, Heier, Workman and Hudkins voted aye. Motion carried.

In response to a question from Workman, Kissel noted a proposed amendment may significantly alter LB 90, which changes provisions relating to abandoned vehicles.

Eagan suggested including the issue of abandoned vehicles in discussion of problem properties within the 3-mile jurisdiction at a meeting scheduled Friday, February 5th.

Eagan reported briefly on LB 185, which changes provisions relating to actions brought by prisoners, noting that Staab will be providing testimony in support of the bill at a legislative hearing scheduled later in the day.

MOTION: Workman moved and Heier seconded to authorize a letter indicating County Board support of LB 185. On call Workman, Heier, Steinman and Hudkins voted aye. Motion carried.

Heier requested information on LB 850, which adopts the Juvenile Detention Regions Act, and LB 852, which changes provisions governing hearings and records in certain juvenile court proceedings.

Hudkins inquired about the status of LB 770, which changes the exempt amount for inheritance tax purposes, and LB 375, which provides a termination date for the inheritance tax, noting a potential 3 million dollar impact to Lancaster County if the bills pass.

Kissel agreed to research these bills and report back to the Board.

Eagan reported that Mike Thurber, Corrections Director has recommended that LB 333, which changes provisions relating to the return of dispensed drugs or devices, be amended to include correctional facilities.

MOTION: Heier moved and Steinman seconded to support LB 333. On call Heier, Steinman, Workman and Hudkins voted aye. Motion carried.

Hudkins asked if any of the directors and officials in attendance had legislative concerns.

Larry Worrell, County Surveyor, briefly reported on LB 310, which prohibits driving in certain areas temporarily closed to traffic, noting that he supports enforcement of a stiff penalty, rather than criminal charges.

Gary Chalupa, County Veterans Services Officer, stated he has concerns that LB 604, which changes provisions for veterans relating to service in the United States Armed Forces, would provide special consideration to veterans serving from 1961 to 1964.

Norm Agena, County Assessor, reported that compliance with LB 709, which changes provisions relating to real estate appraisers, could cost the County an additional \$75,000 to \$100,000.

Hudkins suggested amendment of the bill to exempt counties with populations in excess of 100,000.

7 LETTER FROM GREG FISHER, SOUTHWEST RURAL FIRE DISTRICT FIRE CHIEF, REQUESTING ADDITIONAL DISPATCHER - Julie Righter, Emergency Communications Director; Doug Ahlberg, Interim Emergency Management Director; Jim Densberger, Mutual Aid Association

Eagan reported a request had been received from the Southwest Rural Fire District for a third dispatcher in the Emergency Communications Center to respond to fire calls (Commissioners' Information Packet). He indicated five full-time employees would need to be hired to provide 24 hour coverage of the additional dispatcher position, at an approximate cost of \$130,000 - \$150,000 for the first year.

Dave Kroeker, Budget & Fiscal Officer, briefly reviewed Fire Districts in Lancaster County 1998-99 Valuation (Exhibit B). He noted that fire districts that overlap into adjacent counties and do not levy in Lancaster County would benefit from the additional dispatcher, without contributing to the cost.

Julie Righter, Emergency Communications Director, explained that dispatchers currently monitor two-way radio communication boxes for rural fire calls. These boxes are located separate from the dispatchers' 800 megahertz console boards and response to those calls is frequently delayed if dispatchers are occupied with other emergency calls, although the calls are recorded. She acknowledged there is a need for a dedicated fire dispatcher in her department, but suggested that the position only be staffed during peak hours, which she identified as 10 a.m. to 9 p.m. weekdays, and during weekends in the spring and summer.

Righter stated rural fire call pages would be indicated in the history on the console boards if rural fire districts converted to an 800 megahertz radio system. She noted, however, that some of the surrounding counties' rural fire districts, whose boundaries overlap Lancaster County, operate on 400 megahertz radio systems and would not be compatible.

In response to questions from Board members, Righter stated it is not possible to reconfigure the console boards to accept those radio calls or to place an alarm or a voice-activated light on the two-way radio communication boxes to signal calls.

Discussion on funding followed with Hudkins noting that the interlocal agreement with the City for the Emergency Communications Center dictates that the City will serve as the funding source for the agency.

Righter reported that only two additional staff positions have been approved since 1991. A phone credit from Aliant Communications will expire in December, 1999, resulting in an \$80,000 deficit to the Emergency Communications Center budget which may impact funding of existing positions.

In response to a question from Steinman, Jim Densberger, Mutual Aid Association, stated that rural fire districts do not have sufficient resources to fund the radio enhancement, which is estimated to cost \$900,000.

Doug Ahlberg, Interim Emergency Management Director, suggested that Telecommunications and Information Infrastructure Assistance Program (TIIAP) Grants or State lottery proceeds may be funding options.

Telephone surcharges as a funding mechanism were also discussed, with Righter noting an additional 50 cent surcharge on 911 calls is permitted by statute, although this additional surcharge has not been invoked.

The Board requested that Righter, Densberger and Ahlberg review the situation and make short-term and long-term recommendations to the Board.

8 VETERANS SERVICES QUARTERLY REPORT - Gary Chalupa, County Veterans Services Officer

Gary Chalupa, County Veterans Services Officer, briefly reviewed the Quarterly Report of County Veterans Service Committee (Exhibit C).

In response to a question from Steinman, Chalupa stated that changes in services offered by the Veterans Administration Medical Center has resulted in additional calls seeking information on where to seek medical care. He noted that an Ask-A-Nurse phone line has been established by the Veterans Administration to answer veterans' medical questions and to assist them in making hospitalization decisions.

Chalupa also reported that he had been contacted by Small Wonders, a private foundation which may be able to provide direct assistance to veterans. Information on the foundation has been forwarded to the County Attorney's Office to determine whether participation in the foundation's program would be appropriate. Chalupa agreed to also share this information with the Board.

9 WILDERNESS PARK ECOLOGICAL STUDY - Terry Genrich, Parks & Recreation; Nicole Fleck-Tooze, Kent Morgan and Mike DeKalb, Planning Department

Terry Genrich, Parks & Recreation, gave a brief overview of the following:

- * Wilderness Park Ecosystem Study (Exhibit D)

- * Ecosystem Report of Wilderness Park prepared by EA Engineering, Science and Technology Inc. (**NOTE:** This report may be viewed on the InterLinc website. Copies are also available in the Lincoln City Libraries and UNL Libraries for general public use.)

In response to a question from Eagan, Genrich stated that southern expansion along Salt Creek is still considered a viable element, although it was not specifically addressed in the study.

Nicole Fleck-Tooze, Planning Department, noted that the study focused on the park and adjacent properties as they currently exist, noting the value of protecting floodplain. Expansion issues were addressed from the viewpoint of whether expansion is required to protect pristine areas within the park, rather than as a buffer issue.

In response to a question from Heier, Kent Morgan, Planning Department Assistant Director, estimated the total cost of the study at \$300,000 - \$350,000, with the County contributing \$100,000 of the cost.

Heier suggested that the County would save significant dollars on land use studies, if development in floodplain areas is prohibited.

Steinman asked whether floodplain areas within the park could change, based on creek expansion and surrounding development.

Fleck-Tooze responded that floodplains can expand if stormwater and floodwater is not retained with urbanization. She noted that some communities regulate based on a future urbanized basin floodplain.

In response to a question from Heier, Fleck-Tooze stated the Natural Resource District (NRD) has jurisdiction over the major waterways, but development in floodplain areas is regulated locally, in accordance with National Flood Insurance Program regulations.

Morgan noted that some flooding is necessary to maintain an ecological balance. He also reported that the City Council has requested an estimate of the cost of acquiring the 19 subareas indicated in Map 6-1 (Ecosystem Report of Wilderness Park). These estimates will also be shared with the County Board.

Mike DeKalb, Planning Department, reported on action taken by the Planning Commission with regards to the following:

- * Change of Zone 181, 98th & Raymond Road
- * Change of Zone 182, Southwest 27th & Rokeby Road

Heier remarked that the Planning Commission is sending a clear message to the County Board that clear direction must be given on land use issues.

10 BENEFITS FOR UNCLASSIFIED, UNREPRESENTED EMPLOYEES - Ron Todd, Personnel Director; John Cripe, Classification & Pay Manager; Diane Staab, Deputy County Attorney

John Cripe, Classification & Pay Manager, reviewed benefits for Sheriffs Captains, noting that they have been receiving longevity pay, a benefit to which they were not entitled. He recommended that this pay be rolled over into their salaries, indicating that this salary increase may be an issue in future salary negotiations.

Cripe also made the following recommendations:

- * Modify the vacation accrual schedule for Sheriff Captains so that employees with 10 years of service will gain 4 additional hours of vacation. Employees with 20 years or more of service will lose 14 hours of vacation.
- * Set the maximum sick leave accrual rate at 1,872 hours
- * Change the payout of Post Employment Health Plan (PEHP) benefit from 30% - 50%, effective August 26, 1999

NOTE: The Board will take action on a benefits package for unclassified and unrepresented employees at a Tuesday County Board of Commissioners meeting.

11 PENDING LITIGATION; SALE OF REAL PROPERTY - Doug Cyr, Deputy County Attorney; Don Killeen, County Property Manager

MOTION: Steinman moved and Heier seconded to enter Executive Session at 11:10 a.m. for discussion of pending litigation and sale of real property.

In response to a question from Heier, Eagan stated that topics which may be discussed in Executive Session are clearly defined in the Open Meetings Laws.

ON CALL: Steinman, Heier, Workman and Hudkins voted aye. Motion carried.

MOTION: Workman moved and Heier seconded to exit Executive Session at 11:55 a.m. On call Workman, Heier, Steinman and Hudkins voted aye. Motion carried.

ADDITIONS TO THE AGENDA

- a. Joint Request for Proposals (RFP) with Lincoln Electric Systems (LES) and the City of Lincoln for Benefits Consultant (Exhibit E)

Bill Kostner, City Risk Manager, appeared to request authorization to submit Request for Proposals (RFP) to the Purchasing Department for the following:

- * Employee Benefits Consultant
- * Flexible Benefits Plan Administrator

Kostner stated that benefits of joint bidding of these positions include reduced per entity fee for a consultant, one contract for joint purchasing group and the ability to approach the insurance market as a large group.

Board consensus to proceed with a joint RFP.

- b. Comprehensive Juvenile Justice System Study, Final Report Phase I - Needs Assessment Recommendations

Heier requested a written status report on each of the recommendations noted in the Comprehensive Juvenile Justice System Study, Final Report Phase I - Needs Assessment.

Eagan reported the Board will be discussing the Assessment Center and alternatives to incarceration at the Tuesday, February 2nd County Board Staff Meeting.

12 ADMINISTRATIVE OFFICER REPORT

- a. Nebraska Association of County Officials (NACO) County Board Workshop in Kearney, Nebraska - February 10-12, 1999

Workman and Heier indicated they would attend the conference.

Board consensus to cancel the Thursday, February 11th County Board Staff Meeting. A County Board Staff Meeting will be held immediately following the Tuesday, February 9th County Board of Commissioners Meeting instead.

- b. Joint City-County Public Hearing on Comprehensive Plan Annual Review

Eagan reported the City Council has proposed the dates of March 22nd or 23rd for a joint City-County public hearing on the Comprehensive Plan Annual Review.

Board consensus to schedule discussion of dates for the joint public hearing on the agenda for the February 19th Commons meeting.

- c. Invitation from Salt Valley View Neighborhood Association to Attend Meeting on February 4, 1999

Eagan indicated he will attend the meeting with Jim Hille, architect for the new Juvenile Detention Facility project, and Dennis Banks, Attention Center Director, to address neighborhood security concerns.

19 ADJOURNMENT

MOTION: Steinman moved and Heier seconded to adjourn the meeting. On call Heier, Steinman, Workman and Hudkins voted aye. Motion carried.

Bruce Medcalf
Lancaster County Clerk